

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:

JORGE JESUS VALLEJOS	:	CHAPTER 13
DORA BERNARDITA CABRERA	:	
	:	
Debtors.	:	CASE NO.: 17-55484-WLH
	:	

**POST CONFIRMATION MODIFICATION OF PLAN  
AND REQUEST FOR APPROVAL**

Debtors proposes to modify the confirmed Chapter 13 plan in this case as set forth below and requests that this modification be approved.

**MODIFICATION OF PLAN**

Debtors hereby modify the Chapter 13 Plan, which was confirmed by order of this Court on August 3, 2017, as follows:

1. Debtors hereby modify Paragraph 2 of the Plan as follows:

“**Plan Payments and Length of Plan.** Debtor will pay the sum of \$800.00 Monthly to Trustee by ☐ Payroll Deduction(s) or by ☒ Direct Payment(s) for the applicable commitment period of 60 months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. *See* 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).”

The amended Chapter 13 Plan payment amount shall be effective retroactively commencing with the April 2018 payment.

2. Debtors hereby modify Paragraph 7 of the Plan as follows:

“**Unsecured Claims.** Debtor estimates that the total of general unsecured debt not separately classified in Plan paragraph 10 is \$ 130,740.00. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claims a pro rata share of \$ 36,500.00 or 0 %, whichever is greater. Trustee is authorized to increase this dollar amount or percentage, if necessary, in order to comply with the applicable commitment period stated in paragraph 2 of this Plan.”

3. Debtors hereby delete Paragraph 10(H) of the Plan which provides the following:

“In addition to the monthly Chapter 13 Plan payment, Debtors shall pay into their Case up to \$4,000.00 of bonus income each calendar year during the pendency of their Case. Notwithstanding the foregoing, Debtors shall pay into their Case up to \$2,000.00 of bonus income for calendar year 2017.”

This Plan modification (i) decreases the monthly plan payment from \$1170.00 down to \$800.00; (ii) reduces the pool to be paid to general unsecured creditors from \$55,000.00 down to \$36,500.00; and (iii) deletes Paragraph 10(H) from the Plan. Since the filing of this case, Debtors have had a reduction in income and it is no longer feasible for Debtors to pay their original confirmed monthly plan payment of \$1170.00 per month or contribute their bonus income as was required under Paragraph 10(H) of the confirmed Plan.

Respectfully submitted this 27th day of March, 2018.

\_\_\_\_\_/s/  
Howard P. Slomka  
Georgia Bar #652875  
Attorney for the Debtor  
Slipakoff & Slomka, PC  
Overlook III  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

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	:	

**DECLARATION UNDER PENALTY OF PERJURY**

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

\_\_\_\_\_/s/\_\_\_\_\_  
JORGE JESUS VALLEJOS

\_\_\_\_\_/s/\_\_\_\_\_  
DORA BERNARDITA CABRERA

This 27th day of March, 2018

Penalty of making false statement or concealing property:

Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. '152 and '3571.

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	:	
Debtors.	:	CASE NO.: 17-55484-WLH
	:	

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN,  
DEADLINE FOR FILING WRITTEN OBJECTIONS AND HEARING DATE  
AND TIME IF OBJECTION IS TIMELY FILED**

**To: Creditors and Other Parties in Interest**

**PLEASE TAKE NOTICE** Debtors have filed and served on you a proposed modification to the confirmed Plan in this case. Pursuant to rule 3015(g) of the federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court on or before the following deadline.

**DEADLINE FOR FILING OBJECTION:** Twenty-four (24) days after the date on which this proposed Modification was filed, April 20, 2018. If the twenty-fourth day after the date of filing falls on a weekend or holiday, the deadline is extended to the next business day.

**PLACE OF FILING:** Clerk, U.S. Bankruptcy Court, Room 1340, Richard B. Russell Building, 75 Ted Turner Drive South West, Atlanta, Georgia 30303.

If you mail an objection to the court for filing, you must mail it early enough so the Court will receive it on or before the deadline stated above.

You must also serve a copy on the undersigned at the address stated below and on Debtors at:

Jorge Jesus Vallejos and Dora Bernardita Cabrera  
2243 Bedstone Dr  
Buford, GA 30518

**PLEASE TAKE FURTHER NOTICE** that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the Modification in Courtroom 1403, Richard B. Russell Building, 75 Ted Turner Drive SW, Atlanta, Georgia 30303 at 2:00 P.M. on April 25, 2018.

Respectfully submitted this 27th day of March, 2018.

\_\_\_\_\_/s/\_\_\_\_\_  
Howard P. Slomka  
Georgia Bar #652875  
Attorney for the Debtor  
Slipakoff & Slomka, PC  
Overlook III  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

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FOR THE NORTHERN DISTRICT OF GEORGIA  
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JORGE JESUS VALLEJOS	:	CHAPTER 13
DORA BERNARDITA CABRERA	:	
	:	
Debtors.	:	CASE NO.: 17-55484-WLH
	:	

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing Modification of Confirmed Plan, in the above styled case by depositing same in the United States mail with the adequate postage affixed thereto to insure delivery addressed as follows:

Nancy J. Whaley, 13 Trustee (served via ECF)  
Suite 120  
303 Peachtree Center Avenue  
Atlanta, GA 30303

Jorge Jesus Vallejos and Dora Bernardita Cabrera  
2243 Bedstone Dr  
Buford, GA 30518

SEE ATTACHED FOR A LIST OF ADDITIONAL CREDITORS

DATE: March 27, 2018

\_\_\_\_\_/s/\_\_\_\_\_  
Howard P. Slomka  
Georgia Bar #652875  
Attorney for the Debtor  
Slipakoff & Slomka, PC  
Overlook III  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

Label Matrix for local noticing  
113E-1  
Case 17-55484-wlh  
Northern District of Georgia  
Atlanta  
Tue Mar 27 12:24:49 EDT 2018

Access Management Group  
1100 Northmeadow Pkwy  
Suite 114  
Roswell, GA 30076-3871

American Express Bank, FSB  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

(p)AMERICAN HONDA FINANCE  
P O BOX 168088  
IRVING TX 75016-8088

Amex  
P.O. Box 981537  
El Paso, TX 79998-1537

Bank of America, N.A.  
P O Box 982284  
El Paso, TX 79998-2284

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

Dora Bernardita Cabrera  
2243 Bedstone Dr  
Buford, GA 30518-2287

(p)CAPITAL ONE  
PO BOX 30285  
SALT LAKE CITY UT 84130-0285

Capital One, N.A.  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

Carrington Mortgage Se  
1600 S Douglass Rd Ste 2  
Anaheim, CA 92806-5951

Carrington Mortgage Services, LLC  
1600 South Douglass Road  
Anaheim, CA 92806-5951

Carrington Mortgage Services, LLC, its assig  
c/o Prober & Raphael, A Law Corp.  
20750 Ventura Blvd., Suite 100  
Woodland Hills, CA 91364-6207

Chase Card  
Po Box 15298  
Wilmington, DE 19850-5298

Citi  
Po Box 6241  
Sioux Falls, SD 57117-6241

(p)CITIBANK  
PO BOX 790034  
ST LOUIS MO 63179-0034

(p)GEORGIA DEPARTMENT OF REVENUE  
COMPLIANCE DIVISION  
ARCS BANKRUPTCY  
1800 CENTURY BLVD NE SUITE 9100  
ATLANTA GA 30345-3202

IRS  
401 W Peachtree St, NW  
Stop: 334-D  
Atlanta, GA 30308-3539

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Kohls/capone  
N56 W 17000 Ridgewood Dr  
Menomonee Falls, WI 53051-7096

LVNV Funding, LLC its successors and assigns  
assignee of Citibank, N.A.  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Midland Funding, LLC  
Midland Credit Management, Inc. as  
agent for Midland Funding, LLC  
PO Box 2011  
Warren, MI 48090-2011

Nationwide Credit, Inc.  
PO Box 26314  
Lehigh Valley, PA 18002-6314

Ntb/cbna  
Po Box 6497  
Sioux Falls, SD 57117-6497

PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Dean R. Prober  
Prober & Raphael, A Law Corporation  
Suite 100  
20750 Ventura Blvd.  
Woodland Hills, CA 91364-6207

Quantum3 Group LLC as agent for  
MOMA Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

Howard P. Slomka  
Slipakoff & Slomka, PC  
Overlook III - Suite 1700  
2859 Paces Ferry Rd, SE  
Atlanta, GA 30339-6213

Syncb/belk  
Po Box 965028  
Orlando, FL 32896-5028

Synch/brandsmart  
C/o Po Box 965036  
Orlando, FL 32896-0001

Synch/care Credit  
950 Forrer Blvd  
Kettering, OH 45420-1469

Synch/hh Gregg  
C/o Po Box 965036  
Orlando, FL 32896-0001

Synch/jc Penney Dc  
Po Box 965007  
Orlando, FL 32896-5007

Synch/lowes  
Po Box 956005  
Orlando, FL 32896-0001

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

TD Bank USA, N.A.  
C O WEINSTEIN & RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

Td Bank Usa/targetcred  
Po Box 673  
Minneapolis, MN 55440-0673

U. S. Attorney  
600 Richard B. Russell Bldg.  
75 Ted Turner Drive, SW  
Atlanta GA 30303-3315

Jorge Jesus Vallejos  
2243 Bedstone Dr  
Buford, GA 30518-2287

Wells Fargo  
Po Box 14517  
Des Moines, IA 50306-3517

Wells Fargo Bank  
Po Box 14517  
Des Moines, IA 50306-3517

Wells Fargo Bank Nv Na  
Po Box 94435  
Albuquerque, NM 87199-4435

Wells Fargo Bank, N.A.  
PO Box 10438  
Des Moines, IA 50306-0438

Wells Fargo Bank, N.A.  
Wells Fargo Card Services  
PO Box 10438, MAC F8235-02F  
Des Moines, IA 50306-0438

Wfdillards  
Po Box 14517  
Des Moines, IA 50306-3517

Nancy J. Whaley  
Nancy J. Whaley, Standing Ch. 13 Trustee  
303 Peachtree Center Avenue  
Suite 120, Suntrust Garden Plaza  
Atlanta, GA 30303-1216

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

American Honda Finance  
Po Box 1027  
Alpharetta, GA 30009

(d)American Honda Finance Corporation  
National Bankruptcy Center  
P.O. Box 168088  
Irving, TX 75016-8088

Bk Of Amer  
Po Box 982238  
El Paso, TX 79998

Capital One Bank Usa N  
15000 Capital One Dr  
Richmond, VA 23238

Ford Cbna  
50 Northwest Point Road  
Elk Grove Village, IL 60007

Georgia Department of Revenue  
1800 Century Blvd  
Suite 17200  
Atlanta, GA 30345

Portfolio Recovery Associates, LLC  
POB 41067  
Norfolk VA 23541



The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk VA 23541-1021

(d)Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

(d)Wells Fargo Bank, N.A.  
PO Box 10438  
Des Moines, IA 50306-0438

End of Label Matrix

Mailable recipients	46
Bypassed recipients	3
Total	49